

IOWA FINANCE AUTHORITY[265]

Adopted and Filed

Rule making related to housing renewal pilot program

The Iowa Finance Authority hereby adopts new Chapter 47, “Housing Renewal Pilot Program,” Iowa Administrative Code.

Legal Authority for Rule Making

This rule making is adopted under the authority provided in Iowa Code section 16.5.

State or Federal Law Implemented

This rule making implements, in whole or in part, 2022 Iowa Acts, House File 2564.

Purpose and Summary

The purpose of this rule making is to implement 2022 Iowa Acts, House File 2564, division III, which created a Housing Renewal Pilot Program and Housing Renewal Program Fund within the Authority. The legislation authorized the Authority to allocate funds to a nonprofit Iowa affiliate that is to award grants to eligible participants. The legislation defined eligible activities for program funds as the acquisition, rehabilitation, and resale of ownership units; the acquisition and demolition of blighted structures; and the redevelopment of ownership units. The legislation also set forth additional requirements for the administration of the program and the use of funds.

This rule making describes the operation of the program by defining relevant terms, establishing requirements related to agreements, and establishing a reporting requirement to assist with the preparation of the report required in division III of the legislation.

Public Comment and Changes to Rule Making

Notice of Intended Action for this rule making was published in the Iowa Administrative Bulletin on January 11, 2023, as **ARC 6819C**. No public comments were received. No changes from the Notice have been made.

Adoption of Rule Making

This rule making was adopted by the Authority on March 1, 2023.

Fiscal Impact

This rule making has no known fiscal impact to the State of Iowa beyond that of the legislation it is intended to implement. 2022 Iowa Acts, House File 2564, created a new General Fund appropriation for FY 2023. Division III of House File 2564 appropriated \$500,000 to the Authority for the Housing Renewal Pilot Program. Division III also permitted the Authority to use no more than 5 percent of the moneys allocated to the Housing Renewal Pilot Program for administration and oversight of the program.

Jobs Impact

After analysis and review of this rule making, no impact on jobs has been found.

Waivers

Any person who believes that the application of the discretionary provisions of this rule making would result in hardship or injustice to that person may petition the Authority for a waiver of the discretionary provisions, if any, pursuant to 265—Chapter 18.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its [regular monthly meeting](#) or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

Effective Date

This rule making will become effective on April 26, 2023.

The following rule-making action is adopted:

Adopt the following **new** 265—Chapter 47:

CHAPTER 47
HOUSING RENEWAL PILOT PROGRAM

265—47.1(89GA, HF2564) Purpose. Pursuant to 2022 Iowa Acts, House File 2564, division III, a housing renewal program fund is established under the control of the Iowa finance authority. The authority shall provide moneys from the fund to a nonprofit Iowa affiliate to award grants under the program. Grantees shall use the funds for the purpose of investing in housing rehabilitation and redevelopment for resale to an income-qualified buyer who occupies the home as the buyer's primary residence.

265—47.2(89GA, HF2564) Definitions.

"Authority" means the Iowa finance authority created in Iowa Code section 16.1A.

"Eligible participant" means a city, a county, a consortium of local governments, or an organization exempt from taxation pursuant to Section 501(c)(3) of the Internal Revenue Code with whom a nonprofit affiliate elects to partner.

"Grantee" means an eligible participant awarded a grant under the program.

"Nonprofit Iowa affiliate" or *"nonprofit affiliate"* means a nonprofit Iowa affiliate of a nonprofit international organization whose primary activity is the promotion of the construction, remodeling, or rehabilitation of one-family or two-family dwellings for use by low-income families.

"Redevelopment" means activities including new construction of housing on vacant or demolished properties on infill lots or the conversion of property from a nonresidential use to housing.

"Rehabilitation" means renovation, remodeling and repair of existing housing units for continued residential use.

265—47.3(89GA, HF2564) Agreement.

47.3(1) The authority will prepare an agreement between the authority and the nonprofit affiliate. The agreement may include terms and conditions reasonably necessary for implementation of the program pursuant to this chapter and 2022 Iowa Acts, House File 2564.

47.3(2) Any substantive change to the nonprofit affiliate's proposed uses of funds shall require an amendment to the agreement. Amendments shall be requested in writing. No amendment shall be valid until approved by the authority.

47.3(3) The nonprofit affiliate must prepare an agreement for each project approved for an award. The agreement will reflect the terms of the award and may include other terms and conditions reasonably necessary for implementation of the program pursuant to this chapter and 2022 Iowa Acts, House File 2564. The nonprofit affiliate and the grantee must execute an agreement before funds are disbursed by the nonprofit affiliate. The nonprofit affiliate must provide a copy of each agreement executed by the affiliate and a grantee to the authority within 30 days of execution.

265—47.4(89GA, HF2564) Reporting.

47.4(1) The nonprofit affiliate must submit a report to the authority on or before November 30 of each year.

47.4(2) In addition to the requirements described in 2022 Iowa Acts, House File 2564, division III, the nonprofit affiliate must report on each of the following:

- a.* A description of each grantee's project and grantee's progress toward completion of its projects.
 - b.* The sale price and sale closing date of each ownership unit.
 - c.* The income level of each homebuyer purchasing an ownership unit.
 - d.* The street address, city, zip code and county of each ownership unit.
 - e.* The amount of funds awarded to each grantee.
 - f.* The amount of funds expended by each grantee.
 - g.* The amount of funds obligated by each grantee.
 - h.* The amount of funds leveraged by each grantee.
 - i.* Any other information reasonably requested by the authority in sufficient detail to permit the authority to prepare any reports required by the authority, the general assembly or the governor's office.
- These rules are intended to implement 2022 Iowa Acts, House File 2564, division III.

[Filed 3/2/23, effective 4/26/23]

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EDITOR'S NOTE: For replacement pages for IAC, see IAC Supplement 3/22/23.